

**MINUTES
STATE BOARD OF EDUCATION
JANUARY 27, 2012**

The State Board of Education met for its regular meeting in Room 12 of the Legislative Plaza, Nashville, Tennessee, at 9:00 a.m., CST, on January 27, 2012.

Present..... 11 Absent..... 0

Mr. Fielding Rolston, Chairman
Mr. James Ayers
Mr. Mike Edwards
Ms. Vernita Justice
Ms. Carolyn Pearre
Mr. Lonnie Roberts
Dr. Jean Anne Rogers
Ms. Teresa Sloyan
Dr. Melvin Wright
Ms. Lauren Haley, Student Member
Dr. Richard Rhoda, Ex-Officio

Chairman Rolston called the meeting to order and welcomed members of the audience. He recognized Ms. Lauren Haley as the new student member. Ms. Haley is a senior at Bartlett High School and is actively involved in many extracurricular activities.

I. Consent Items (Voice Vote)

- A. *Adoption of Agenda***
- B. *Approval of Minutes from November 4, 2011 and December 19, 2011***

ACTION: **Ms. Sloyan** moved acceptance. **Dr. Wright** seconded. The motion passed unanimously.

II. Report Items

- A. *Tennessee Council for Career & Technical Education Biennial Report***

Mr. Thom Smith, Department of Education, presented the bi-annual report, examining recent trends in Career and Technical Education.

Chairman Rolston asked about the calculation of the 90 percent graduation rate.

Mr. Smith stated that this information was from the Perkins report card for CTE concentrators. He also stated that over 80 percent of high school students take at least 1 CTE course, but the graduation rate only focuses on CTE concentrators.

Mr. Edwards emphasized the importance of developing transferable skills, because many future careers are changing rapidly.

B. *Report on Student, Teacher & School Performance*

Dr. David Sevier, State Board of Education, presented this item and reminded Board members that they heard a detailed presentation at the workshop held the day before. He noted that the report shows that much work remains to be done and that many of the numbers serve as lagging indicators of the reforms and other actions taken by the Board over the years.

C. *Status of Minority Classroom Teachers in Tennessee Report*

Mr. Morgan Branch, Department of Education, presented this report, in compliance with statute. **Mr. Branch** stated that the number of minority classroom teachers has increased throughout the state and the data reporting has become more accurate.

Ms. Sloyan asked if the state was still seeing growth.

Mr. Branch responded that we are still looking at the data.

Chairman Rolston asked for a summary of the main points of the report.

Mr. Branch replied that in 1996 we were in a decline. In collaboration with higher education and other alternative licensing programs, we have made progress but there is a lot of work to do in many of the smaller counties. He also added that this report includes other demographic populations.

Prior to **Mr. Art Fuller's** presentation on the *Annual Joint Report on Pre-Kindergarten Through Higher Education in Tennessee*, **Chairman Rolston** stopped to recognize Mr. Fuller for his many contributions to the State Board of Education and the children of Tennessee. Mr. Fuller is leaving the State Board of Education to pursue the opening of a charter school in Nashville. Mr. Fuller expressed gratitude to the Board members and staff for the opportunities afforded to him over the years and stated that his leaving would be bittersweet.

D. *Annual Joint Report on Pre-Kindergarten Through Higher Education in Tennessee*

Mr. Art Fuller, State Board of Education, reviewed the four major categories of the report, as required by statute.

The first section of the report addressed significant collaborations between K-12 and higher education related to Race to the Top, highlighting the teacher report card, longitudinal database, Common Core standards, and reducing development studies.

The second section focused on transitions from high school to college, including making it easier for students taking college level credit to receive both high school and college credit.

The third section focused on the master plans of each agency.

The final section emphasized information in the annual student, teacher, and school performance report.

III. Action Items (First Reading)

A. *Special Education Programs and Services, Rule*

Ms. Dannelle Walker, State Board of Education, presented this item. She noted that the United States Department of Education released its final implementing regulations for IDEA Part C programs. The Tennessee Department of Education's Tennessee's Early Intervention System Interagency Coordinating Council convened a task force, and they recommended that the State Board of Education adopt by reference the compilation of Federal Regulations at 34 C.F.R. Part 303 in their entirety as the state rule for administration of special education early intervention programs and services in the state.

ACTION: **Mr. Roberts** moved acceptance on first reading. **Vice Chair Pearre** seconded. The motion passed unanimously.

B. *2012 Tennessee School Bus Specifications*

Mr. Fuller reviewed the three major changes within the updated specifications for buses with a body build date after July 1, 2012.

The first change dealt with fire retardant seat covers, including increased costs ranging from \$370 to \$470 per new bus. The two remaining updates related to document holders and the prohibition of installing additional items in the front windshield portion of the bus.

ACTION: **Dr. Wright** moved acceptance on first reading. **Ms. Sloyan** seconded. The motion passed unanimously.

C. *Move On When Ready Act*

Relative to TCA 49-6-8303, **Dr. Nixon** outlined a procedure that, beginning in the 20012/13 school year, allows students to graduate from high school early and enroll in a two year or four year institution of

higher education provided specific requirements have been met. The requirements include the following: earned 18 credits, attained a GPA of at least a 3.2 on a 4 point scale, met benchmark scores on end of course tests, met benchmark scores on the ACT or SAT examinations in mathematics and English, met benchmark scores on a world language assessment, and complete two credits in AP, IB, dual enrollment or dual credit offerings. The law directs the State Board of Education to determine the benchmark scores for the end of course tests. Further, the law directs the State Board of Education to identify a world language assessment and to set the benchmark score. The Tennessee Higher Education Commission is directed to set the benchmark scores for the ACT or SAT examinations. Students choosing to graduate early under this law are to have attained benchmark scores that demonstrate an exemplary high school performance and are indicative of the ability to perform college-level work.

Dr. Nixon recommended the following requirements on first reading:

1. The benchmark score for the end of course tests will be a performance at the advanced level.
2. The world language assessment will be AP world language assessments with a benchmark score of a 3 or better.

ACTION: **Dr. Wright** moved acceptance on first reading. **Vice Chair Pearre** seconded. The motion passed unanimously.

IV. Action Items (Final Reading)

A. *Migrant Education, Title IC, Service Delivery*

Ms. Paula Gaddis, Department of Education, presented this item. She noted that there were no changes to the document from the first reading.

ACTION: **Vice Chair Pearre** moved approval. **Mr. Roberts** seconded. The motion passed unanimously.

B. *Teacher Preparation Program Approval Cycle*

Mr. Martin Nash, Department of Education, presented this item. He explained that NCATE has requested partnering states to align their approval cycle with the national accreditation cycle and that this item will accomplish this task. The state's cycle is 5 five years, rather than seven and this places an undue burden on many teacher education programs. **Mr. Nash** noted that this does not mean that there is not opportunity for assessment between approval visits and pointed to the state's report card on teacher education programs as a mechanism for tracking the success of programs.

ACTION: **Mr. Edwards** moved approval. **Dr. Wright** seconded. The motion passed unanimously.

C. *Public Virtual Schools, Rule*

Dr. Sevier presented this item and noted that this is brought to the Board in response to legislation -- Public Chapter 492 -- which directs the Board to promulgate rules relative to the operation of virtual schools. The Board worked with the Department of Education to craft rules particular to virtual schools. **Dr. Sevier** noted that the vast majority of rules apply to all schools -- virtual or traditional. These rules focus primarily on the enrollment and transfer of students. The issue of learning time is also addressed.

Mr. Edwards expressed the need for more transparency within the accountability structure including adding raw numbers rather than only reporting percentages.

Dr. Nixon responded that this would be an appropriate item for the next Board workshop.

ACTION: **Mr. Edwards** moved approval. **Ms. Sloyan** seconded. A roll call vote was taken as follows:

	Yes	No	Absent
Jim Ayers	X		
Mike Edwards	X		
Vernita Justice	X		
Carolyn Pearre	X		
Lonnie Roberts	X		
Jean Anne Rogers	X		
Fielding Rolston	X		
Teresa Sloyan	X		
Melvin Wright	X		
Lauren Haley	X		

The motion passed unanimously.

D. *Isolation and Restraint Reporting, Rule*

Ms. Walker presented this item. She noted that Public Chapter 457 mandated promulgation of this rule and also mandated the creation of a standard reporting format to be used in all school districts. This rule was developed with the disability advocacy community, counsels for the Department of Education and the State Board of Education and school administrators. It was also endorsed by the Advisory Council of the Education of Students with Disabilities. Finally, **Ms. Walker** commented that the items listed in the rule will be incorporated into a form with anticipation of being in use by the 2012-2013 school year.

ACTION: **Mr. Edwards** moved approval. **Vice Chair Pearre** seconded. A roll call vote was taken as follows:

	Yes	No	Absent
Jim Ayers	X		
Mike Edwards	X		
Vernita Justice	X		
Carolyn Pearre	X		
Lonnie Roberts	X		
Jean Anne Rogers	X		
Fielding Rolston	X		
Teresa Sloyan	X		
Melvin Wright	X		
Lauren Haley	X		

The motion passed unanimously.

E. *Charter Schools Funding and Enrollment, Rules*

Mr. Rich Haglund, Department of Education, reviewed the enrollment rule, as presented on first reading. **Mr. Haglund** stated that there was one change related to moving the date from May 1st to March 1st for student enrollment submission. Otherwise, this is the same as last received on first reading.

ACTION: **Mr. Roberts** moved approval. **Vice Chair Pearre** seconded. A roll call vote was taken as follows:

	Yes	No	Absent
Jim Ayers	X		
Mike Edwards	X		
Vernita Justice	X		
Carolyn Pearre	X		
Lonnie Roberts	X		
Jean Anne Rogers	X		
Fielding Rolston	X		
Teresa Sloyan	X		
Melvin Wright	X		
Lauren Haley	X		

The motion passed unanimously.

F. *High School Transition Policy*

Dr. Sevier presented this item. He noted that there were no changes from the first reading. He commented that that the Board is working with the Department of Education to ensure that middle schools that are

enrolling students in advanced courses earlier are getting credit for this effort.

Chairman Rolston commented that he did not want to do anything that discourages LEAs from placing students in the most challenging courses available. He asked for a plan of how this will be accomplished.

Mr. Edwards commented that a hold harmless provision that should be communicated to school districts. **Commissioner Kevin Huffman**, Department of Education, responded that this is a component of the waiver process currently under consideration by the USDOE and that many of these issues may be solved by the creation of an environment that focuses on continual growth rather than AYP. He also commented that the Department of Education is working with SAS to have this information as part of the TVAAS calculations.

ACTION: **Mr. Edwards** moved approval. **Ms. Sloyan** seconded. The motion passed unanimously.

G. *License Denial, Suspension and Revocation Procedure Policy*

H. *Teacher License Actions, Rule*

Chairman Rolston expressed concerns with these two items, specifically that inflammatory and misleading talking points about the intent of the rule and policy change were disseminated. He explained that the intent was to keep teachers in the classroom for offenses that would ordinarily have been deemed a suspendable or revocable offense.

Chairman Rolston expressed that the Board would continue with the intent, but that the items would be removed in order to allow time to properly communicate the reasoning. He concluded by stating that the items would be deferred for this meeting but would be included on the April 2012 agenda.

I. *Educator Preparation Units and Program/Licensure Areas*

Mr. Nash presented this item and gave the Board background on the process of program approval. He described how the standards and approval process works.

Chairman Rolston asked specifically about Victory University. **Mr. Nash** outlined the challenges with Victory including having three presidents in a three year period. **Mr. Nash** described the visit and responded that the team was not able to verify that the university was meeting the NCATE standards.

Vice Chair Pearre asked for clarification that the Board would be voting to deny approval and **Mr. Nash** responded that this would, in fact, be the case.

Chairman Rolston asked about Tennessee Technological University and any improvements that are underway to correct deficiencies. **Mr. Nash** responded that the university's NCATE status was in a "serious situation" and they are already working to address problems.

ACTION: **Mr. Edwards** moved approval. **Mr. Ayers** seconded. The motion passed unanimously.

V. Charter School Appeal Item

A. SMART Schools, Inc.

Dr. Nixon presented the details of the appeal and explained the recommendation to the Board to affirm the decision of the Knox County Board of Public Education and deny the application of SMART Schools, Inc.

ACTION: **Mr. Edwards** moved approval. **Dr. Rogers** seconded. A roll call vote was taken as follows:

	Yes	No	Absent
Jim Ayers	X		
Mike Edwards	X		
Vernita Justice	X		
Carolyn Pearre	X		
Lonnie Roberts	X		
Jean Anne Rogers	X		
Fielding Rolston	X		
Teresa Sloyan	X		
Melvin Wright	X		
Lauren Haley	X		

The motion passed unanimously.

VI. Teacher License Actions

A. Stephen Michael Bearden – Denial

ACTION: **Dr. Wright** moved approval. **Vice Chair Pearre** seconded. A roll call vote was taken as follows:

	Yes	No	Absent
Jim Ayers	X		
Mike Edwards	X		
Vernita Justice	X		
Carolyn Pearre	X		
Lonnie Roberts	X		
Jean Anne Rogers	X		

	Yes	No	Absent
Fielding Rolston	X		
Teresa Sloyan	X		
Melvin Wright	X		
Lauren Haley	X		

The motion passed unanimously.

B. *Kimberly A. Bryant – Revocation*

ACTION: **Dr. Wright** moved approval. **Vice Chair Pearre** seconded. A roll call vote was taken as follows:

	Yes	No	Absent
Jim Ayers	X		
Mike Edwards	X		
Vernita Justice	X		
Carolyn Pearre	X		
Lonnie Roberts	X		
Jean Anne Rogers	X		
Fielding Rolston	X		
Teresa Sloyan	X		
Melvin Wright	X		
Lauren Haley	X		

The motion passed unanimously.

C. *Erin K. Jones – Suspension, one (1) year, with contingency*

ACTION: **Dr. Wright** moved approval. **Vice Chair Pearre** seconded. A roll call vote was taken as follows:

	Yes	No	Absent
Jim Ayers	X		
Mike Edwards	X		
Vernita Justice	X		
Carolyn Pearre	X		
Lonnie Roberts	X		
Jean Anne Rogers	X		
Fielding Rolston	X		
Teresa Sloyan	X		
Melvin Wright	X		
Lauren Haley	X		

The motion passed unanimously.

D. Blake L. Kelley – Revocation

ACTION: **Dr. Wright** moved approval. **Vice Chair Pearre** seconded. A roll call vote was taken as follows:

	Yes	No	Absent
Jim Ayers	X		
Mike Edwards	X		
Vernita Justice	X		
Carolyn Pearre	X		
Lonnie Roberts	X		
Jean Anne Rogers	X		
Fielding Rolston	X		
Teresa Sloyan	X		
Melvin Wright	X		
Lauren Haley	X		

The motion passed unanimously.

E. Charles Scott Kinsey – Revocation, concurrent

ACTION: **Dr. Wright** moved approval. **Vice Chair Pearre** seconded. A roll call vote was taken as follows:

	Yes	No	Absent
Jim Ayers	X		
Mike Edwards	X		
Vernita Justice	X		
Carolyn Pearre	X		
Lonnie Roberts	X		
Jean Anne Rogers	X		
Fielding Rolston	X		
Teresa Sloyan	X		
Melvin Wright	X		
Lauren Haley	X		

The motion passed unanimously.

F. Natasha Kruithof – Suspension, six (6) months

ACTION: **Dr. Wright** moved approval. **Vice Chair Pearre** seconded. A roll call vote was taken as follows:

	Yes	No	Absent
Jim Ayers	X		
Mike Edwards	X		
Vernita Justice	X		
Carolyn Pearre	X		

	Yes	No	Absent
Lonnie Roberts	X		
Jean Anne Rogers	X		
Fielding Rolston	X		
Teresa Sloyan	X		
Melvin Wright	X		
Lauren Haley	X		

The motion passed unanimously.

G. Mark A. Magill – Revocation

ACTION: **Dr. Wright** moved approval. **Vice Chair Pearre** seconded. A roll call vote was taken as follows:

	Yes	No	Absent
Jim Ayers	X		
Mike Edwards	X		
Vernita Justice	X		
Carolyn Pearre	X		
Lonnie Roberts	X		
Jean Anne Rogers	X		
Fielding Rolston	X		
Teresa Sloyan	X		
Melvin Wright	X		
Lauren Haley	X		

The motion passed unanimously.

H. Barbara Nichols – Suspension, one (1) year, with contingency

ACTION: **Dr. Wright** moved approval. **Vice Chair Pearre** seconded. A roll call vote was taken as follows:

	Yes	No	Absent
Jim Ayers	X		
Mike Edwards	X		
Vernita Justice	X		
Carolyn Pearre	X		
Lonnie Roberts	X		
Jean Anne Rogers	X		
Fielding Rolston	X		
Teresa Sloyan	X		
Melvin Wright	X		
Lauren Haley	X		

The motion passed unanimously.

I. Abby G. Turner – Suspension, one (1) year, with contingency

ACTION: **Dr. Wright** moved approval. **Vice Chair Pearre** seconded. A roll call vote was taken as follows:

	Yes	No	Absent
Jim Ayers	X		
Mike Edwards	X		
Vernita Justice	X		
Carolyn Pearre	X		
Lonnie Roberts	X		
Jean Anne Rogers	X		
Fielding Rolston	X		
Teresa Sloyan	X		
Melvin Wright	X		
Lauren Haley	X		

The motion passed unanimously.

J. Rodney L. Wayne – Revocation, concurrent

ACTION: **Dr. Wright** moved approval. **Vice Chair Pearre** seconded. A roll call vote was taken as follows:

	Yes	No	Absent
Jim Ayers	X		
Mike Edwards	X		
Vernita Justice	X		
Carolyn Pearre	X		
Lonnie Roberts	X		
Jean Anne Rogers	X		
Fielding Rolston	X		
Teresa Sloyan	X		
Melvin Wright	X		
Lauren Haley	X		

The motion passed unanimously.

K. Jeremy Yax – Suspension, two (2) years, with contingency

ACTION: **Dr. Wright** moved approval. **Vice Chair Pearre** seconded. A roll call vote was taken as follows:

	Yes	No	Absent
Jim Ayers	X		
Mike Edwards	X		
Vernita Justice	X		
Carolyn Pearre	X		
Lonnie Roberts	X		

	Yes	No	Absent
Jean Anne Rogers	X		
Fielding Rolston	X		
Teresa Sloyan	X		
Melvin Wright	X		
Lauren Haley	X		

The motion passed unanimously.

VII. Adjournment

Chairman Rolston then thanked the Board members for their thoughtful deliberations and announced that the Board will meet next on April 20, 2012 for its regularly scheduled quarterly meeting.

Approved by: _____ Date: _____